

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

DONNA COLLINS, TONI COLLINS, and
TIRESHA DYKES

Plaintiff

v.

CITY OF NEW YORK, et. al.

Defendant

Civil Action No.

CV 11 - 0054

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

ANTHONY RICCI (Shield No. 29586)

c/o NYPD

Staten Island Gang Squad
305 Front Street
Staten Island, NY 10304

MAUSKOPF, J.

GOLD, M.J.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

LEVENTHAL & KLEIN, LLP
45 MAIN STREET, SUITE 230
BROOKLYN, NY 11201

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT C. HEINEMANN

CLERK OF COURT

[Signature]

Signature of Clerk or Deputy Clerk

JAN 05 2011

Date:

DONNA COLLINS, ETAL

Plaintiff(s)

- against -

Index # CV 11-0054 (RRM) (SMG)

CITY OF NEW YORK, ETAL

Purchased January 5, 2011

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

JUDITH ROGERS BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on April 13, 2011 at 11:53 AM at

C/O NYPD 120TH PCT.
78 RICHMOND TERRACE
STATEN ISLAND, NY 10301

deponent served the within SUMMONS AND COMPLAINT on ANTHONY RICCI (SHIELD NO. 29586) therein named,

SUITABLE AGE by delivering thereat a true copy of each to S.R.P.A.A. DIANA DIAZ a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. She identified herself as the CO-WORKER of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	WHITE	BROWN	35	5'6	160

MAILING Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

C/O NYPD 120TH PCT.
78 RICHMOND TERRACE
STATEN ISLAND, NY 10301

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on April 19, 2011 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

MILITARY SERVICE Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.


That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: April 19, 2011

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Expires February 10, 2014

JOSEPH KNIGHT
Notary Public, State of New York
No. 01KN6178241
Qualified in New York County
Expires November 26, 2011

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Expires December 4, 2014


JUDITH ROGERS
License #: 1204329
Invoice #: 529825